

## **REMARKS**

Claims 1-4 and 7-18 stand rejected in the subject patent application. Claims 5, 6 and 19-24 have been withdrawn from consideration. Claim 18 is being canceled in this amendment. Therefore, claims 1-4 and 7-17 remain active in the present application following entry of this amendment.

Applicant requests clarification of the status of claims 17 and 18. The Office Action Summary sheet indicates that claim 18 merely was objected to. The third to last paragraph on page 4 of the Office Action states that claim 17 merely is objected to as dependent on a rejected claim but would be allowable if written in independent form. However on page 2, claims 14-18 were rejected under 35 U.S.C. §102 as being anticipated by Clow.

### **Amendment of Specification**

The second sentence of paragraph [0049] originally stated that the first work surface in Figure 14 is convex. Examination of the drawing clearly shows that the first work surface 135 is concave and that the second work surface 142 is convex. Therefore, the sentence is being amended accordingly.

### **Election of a Single Species**

The Office Action states that the Applicant is required under 35 U.S.C. §121 to elect a single disclosed species for prosecution on the merits and to which the claims shall be restricted in the event that no generic claim is finally held to be allowable.

Applicant provisionally elects the species of the invention shown in Figures 4, 5 and 12-14. Note that the bowl shown in Figures 4 and 5 is usable with the lavatory 130 Figures 12-14 as stated in paragraph [0047] of the application. Presently claims 1-4 and 7-17 correspond to the elected species. However, amended claim 1 still is generic.

### **Rejection under 35 U.S.C. §102**

Claims 1-4, 7, 8 and 14-18 stand rejected under 35 U.S.C. §102 as anticipated by Clow.

Claim 1 has been amended to state that the platform is unfastened to the body and is removably positioned on the first work surface. The Clow patent teaches a sink having various sections and components which are bolted together. Apparently because the sink can be disassembled by removing the screws and bolts securing the plate b" (a platform) to the remaining elements of the sink, the alleged platform is considered to be removably positioned on a first work surface. However, the plate b" in Clow does not correspond to the platform as it is not positioned on the first work surface A" which has the drain opening therein. Instead, plate b" is positioned on the top of side walls b which extend upward from the first work surface at the bottom of the channels. Further, any contention that the side walls b are part of the platform is inconsistent with the statement that the platform is removable from the first work surface as those side walls are an integral part of the channels which form the first work surface.

In addition, nothing suggests to the user to remove the platform b" as doing so undermines the usability of the Clow sink. Removing platform b" exposes the seam underneath where the two channels A abut, as shown in Figure 3, and allows water to flow

through that seam onto the floor. Furthermore, screwing the top plate b" to the side walls B secures the channels together, thus making removal of the plate even more unlikely. In contrast, the present washing apparatus provides multiple functions, being fully usable with and without the platform 136.

Dependent claim 7 states that the platform further comprises a plurality of supports which raise the second work surface from the first work surface. The plate b" in Clow does not have such supports as its underside is directly in contact with the top of the side walls b which form part of the body of its washing apparatus. Nor does the patented apparatus have a plurality of legs which raise the second work surface from the first work surface as stated in claim 8.

Independent claim 14 is patentable for similar reasons stated with respect to claim 1 in that the platform recited in the latter claims also is unfastened to the body. In addition, claim 14 specifies that the second work surface is convex in which is not true of the flat plate shown in Clow.

Dependent claim 17 recites that the platform has a plurality of legs which raise the second work surface from the first work surface, which as stated previously is not true of the flat plate b" in Clow.

The statement in the Office Action that the surface of Clow is convex "at least at its edge" defies conventional meaning of the term convex. The reference teaches a flat plate b" with rounded edges, which would hardly be interpreted by one of ordinary skill in the art as making that surface convex. The edges are not part of a work surface but form separate walls extending from the work surface. To accept the contention in the

Office Action would mean that every flat sheet is convex because it has downwardly extending edges. Furthermore, accepting this interpretation of the word convex means that the first surface 135 shown in Figure 14 of the pending application also is convex because rim around the lavatory is rounded. As a result the rejection is attempting to expand the definition of convex well beyond reasonable bounds.

Claims 1, 9 and 10 have been rejected under 35 U.S.C. §102 as being anticipated by De Brie. The rejection identified element 23 in this patent as corresponding to a convex work surface. However, element 23 is not a work surface at all, but is an arcuate portion of each of a plurality of ribs that form slots 28 for holding dishes being air dried, as shown by phantom lines in Figure 1. Thus, element 23 is not a work surface and nothing suggests its use as such.

Although the bottom member 11 might be considered as a work surface, it is defined as being substantially horizontal and has upstanding walls 17 which prevent water from flowing off the side edges of that surface. Instead, surface 11 communicates with a discharge orifice 18 that has a strainer so that material does not flow from surface 11 into the sink. As a consequence of this different design, the De Brie apparatus does not permit fluid to flow off the side edges of the second work surface onto the first work surface as required in independent claim 1.

Because De Brie's bottom member 11 is not described as being convex, it does not anticipate the subject matter of claim 9. This patent describes the bottom member 11 as being generally horizontal, probably pitching slightly so that the plurality of corrugations 20 direct the water toward the drain opening 19. Furthermore, with respect to claim 10,

nothing in De Brie teaches a spout which emits a stream of water onto the first work surface. In fact, the reference teaches away from this structure by providing a dish pan 16 on the bottom member 11, thereby eliminating the need for directing water onto that surface. In addition, one would not normally direct water onto dishes drying in the rack on the right side of the apparatus.

Therefore, the De Brie apparatus does not anticipate the structure on amended claims 1, 9 and 10.

### **Rejections Under 35 U.S.C. §103**

Claim 11 was rejected under 35 U.S.C. §103 as being unpatentable under Clow in view of Hennessy.

The distinctions stated above regarding the Clow patent apply to this rejection as well. Neither cited reference discloses a platform that is removable and unfastened to the body of a washing apparatus. Therefore, claim 11 is patentable for the same reasons as claim 1.

Claims 12 and 13 stand rejected under 35 U.S.C. §103 as being unpatentable over Clow in view of Bogusz. Bogusz teaches a drain apparatus which is placed over the outlet at the bottom of a sink allowing the sink to be filled with soapy water for soaking dishes, while still permitting a drain opening through which individual dishes can be rinsed. This device does not undermine the basic distinction that the present apparatus teaches a removable, unfastened work surface, which is clearly not suggested in Clow. The drain device in Bogusz does not provide a separate work surface, but merely a water conduit. Furthermore, the funnel structure of Bogusz clearly does not qualify as a bowl.

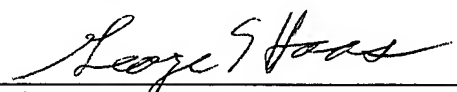
Therefore, none of the combinations of the references cited against claims 11, 12 and 13 render those claims unpatentable.

### **Conclusion**

In view of these distinctions between the subject matter of the present claims and teachings of the cited patents, reconsideration and allowance of the present application are requested.

Respectfully submitted,  
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